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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/751,163	12/29/2000	Salvatore N. Storino	RO998-200B	1259

7590 03/05/2004

Roy W. Truelson  
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EXAMINER
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NGUYEN, KHIEM D

ART UNIT	PAPER NUMBER
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2823

DATE MAILED: 03/05/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/751,163

Applicant(s)

STORINO ET AL.

Examiner

Khiem D Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 08 December 2003.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 7-16 is/are allowed.
- 6) ☒ Claim(s) 1-6 and 17-21 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 29 December 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All   b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892)                      4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)                      5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_                      6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### *Response to Amendment*

Applicant's arguments filed December 8<sup>th</sup>, 2003 have been fully considered but they are not persuasive.

The Rejection from paper No. 7 sent September 3<sup>rd</sup>, 2003 is incorporated in this paper. It is presented here for convenience.

### *Claim Rejections - 35 USC § 102*

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in-

(1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effect under this subsection of a national application published under section 122(b) only if the international application designating the United States was published under Article 21(2)(a) of such treaty in the English language; or

(2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that a patent shall not be deemed filed in the United States for the purposes of this subsection based on the filing of an international application filed under the treaty defined in section 351(a).

1. Claims 1-6 are rejected under 35 U.S.C. 102(e) as being anticipated by Bosshart (U.S. Patent 6,049,231).

In re claim 1, **Bosshart** discloses a method of eliminating parasitic bipolar transistor action in a Silicon on Insulator (SOI) Metal Oxide Semiconductor (MOS) device located in a logic circuit, the logic circuit being adapted to receive an input signal and a clock signal, the method comprising: controlling the conduction of an active discharging device with the input signal (**FIG. 4, INPUTS<sub>26</sub>**) wherein the discharging device (**FIG. 4, 26<sub>DT</sub>**) being coupled to an intermediate node of the logic circuit (**FIG. 4,**

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26<sub>L</sub>), whereby the parasitic bipolar transistor is deactivated (col. 8, line 53 to col. 10, line 17).

In re claims 2-6, **Bosshart** discloses wherein the SOI device comprises a gate and a drain, and wherein the method further comprises: providing a first signal (**FIG. 4, INPUTS<sub>26</sub>**) to the gate of the SOI device, providing a second signal to the drain of the SOI device, and activating the conduction of the active discharging device according to the state of the first signal wherein the first signal causes the SOI device to conduct current whenever the logic circuit is being pre-charged and the second signal pre-charges the drain during a pre-charge cycle and wherein the active discharging device provides a conduction path between the intermediate node and a voltage source (col. 8, line 53 to col. 10, line 38 and **FIG. 4**)

2. Claims 17-21 are rejected under 35 U.S.C. 102(e) as being anticipated by Bosshart (U.S. Patent 6,049,231).

In re claim 17, **Bosshart** discloses a method of reducing the effects of parasitic bipolar transistor action in a silicon-on-insulator (SOI) logic circuit during a pre-charge cycle, comprising: coupling an active discharge device to an intermediate node of the SOI logic circuit, and controlling the conduction of the active discharging device using a non-clock signal whereby the charge at the intermediate node is maintained at a predetermined level during the pre-charged cycle (col. 8, line 53 to col. 10, line 17 and **FIG. 4**).

In re claims 18-21, **Bosshart** discloses wherein the predetermined level is a common ground potential for the SOI logic circuit and wherein the non-clock signal

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comprises an active low signal applied to an input of the SOI logic circuit during the pre-charge cycle. Bosshart also discloses wherein the voltage source comprises a system ground (col. 8, line 53 to col. 10, line 38 and **FIG. 4**).

***Allowable Subject Matter***

Claims 7-16 are allowed.

***Response to Amendment***

***Response to Applicant's Arguments***

Applicant's arguments filed December 8<sup>th</sup>, 2003 have been fully considered but they are not persuasive.

In response to Applicant's argument that Bosshart does not disclose controlling the conduction of an active discharging device with the input signal other than the clock, examiner respectfully disagree. Applicants are directed to col. 8, line 53 to col. 9, line 52 and FIG. 4 where Bosshart discloses controlling the conduction of an active discharging device (FIG. 4: 26<sub>DT</sub>) using the input signal (FIG. 4: INPUTS<sub>26</sub>), note that INPUTS<sub>26</sub> is a non-clock signal (col. 9, lines 27-52). For this reasons, examiner holds the rejection proper.

***Conclusion***

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not

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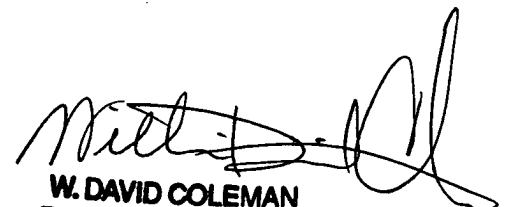
mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Khiem D Nguyen whose telephone number is (571) 272-1865. The examiner can normally be reached on Monday-Friday (8:00 AM - 5:00 PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Olik Chaudhuri can be reached on (571) 272-1855. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 305-3432 for regular communications and (703) 305-3432 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.

K.N.  
March 1, 2004



**W. DAVID COLEMAN**  
**PRIMARY EXAMINER**